

1 [COMPLETE LIST OF COUNSEL
2 IDENTIFIED ON SIGNATURE PAGES]

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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

10 TV INTERACTIVE DATA
11 CORPORATION,

12 Plaintiff,

13 v.

14 SONY CORPORATION, et al.,

15 Defendants.

Case No. 10-CV-00475-JF

**STIPULATION AMONG
PLAINTIFF TV INTERACTIVE
DATA CORPORATION AND
DEFENDANTS CONCERNING
DR. ANDREW WOLFE AND
[PROPOSED] ORDER**

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2 WHEREAS Defendants Funai Electric Co., Ltd. and Funai Corporation, Inc.
3 (collectively, the “Funai Defendants”) have notified TVI and the other parties that
4 the Funai Defendants believe that they have a basis to object to the designation of
5 Dr. Andrew Wolfe by TVI as a testifying expert on the grounds that Dr. Andrew
6 Wolfe is a named inventor on multiple patent applications that members of the
7 Funai Defendants’ litigation team are currently prosecuting;

8 WHEREAS Plaintiff TVI does not agree that the Funai Defendants have a
9 basis to object to the designation of Dr. Andrew Wolfe by TVI as a testifying expert
10 in this case; and

11 WHEREAS, to resolve the Funai Defendants’ alleged basis for such an
12 objection, TVI and Defendants have agreed to an evidentiary bar relating to (1) the
13 relationship between or among Dr. Wolfe, Baker & Hostetler LLP, the specific
14 attorneys prosecuting the patent applications and/or the entity for whom Baker &
15 Hostetler LLP is prosecuting the patent applications; (2) the fact that Baker &
16 Hostetler LLP and the specific attorneys prosecuting the patent applications
17 prosecuted such patent applications in which Dr. Wolfe is a named inventor; and
18 (3) the fact that Baker & Hostetler LLP and the specific attorneys prosecuting the
19 patent applications prosecuted such patent applications on behalf of the entity for
20 whom Baker & Hostetler LLP is prosecuting the patent applications.

21 IT IS HEREBY STIPULATED AND AGREED as follows:

22 Neither TVI, Defendants, the parties’ attorneys, the parties’ representatives,
23 nor Dr. Wolfe may reference in any further Court filing, Court hearing or jury trial
24 in this case:

25 (1) the relationship between or among Dr. Wolfe, Baker & Hostetler
26 LLP, the specific attorneys prosecuting the patent applications and/or the
27 entity for whom Baker & Hostetler LLP is prosecuting the patent
28 applications;

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2 (2) the fact that Baker & Hostetler LLP and the specific attorneys
3 prosecuting the patent applications prosecuted such patent applications in
4 which Dr. Wolfe is a named inventor; and

5 (3) the fact that Baker & Hostetler LLP and the specific attorneys
6 prosecuting the patent applications prosecuted such patent applications on
7 behalf of the entity for whom Baker & Hostetler LLP is prosecuting the
8 patent applications.

9 Notwithstanding the above general agreement, all parties to this Stipulation
10 reserve the right to: (1) request the Court to enforce the Stipulation in the event of
11 an alleged breach; and (2) seek appropriate relief from the Court in the event of an
12 alleged breach. TVI and Dr. Wolfe further reserve the right to respond should any
13 Defendant or a non-party raise the relationship between Dr. Wolfe and Baker &
14 Hostetler LLP. Nothing in this Stipulation shall be considered a waiver of
15 Defendants' rights to object to Dr. Wolfe on other grounds.

16 In addition, TVI and Dr. Wolfe reserve the right to enforce the
17 STIPULATION AMONG PLAINTIFF TV INTERACTIVE DATA
18 CORPORATION AND THE FUNAI DEFENDANTS CONCERNING DR.
19 ANDREW WOLFE AND [PROPOSED] ORDER, which was separately filed with
20 the Court.

21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22 Dated: 11/23/10, 2010

/s/

23 Honorable Jeremy Fogel
24 United States District Judge
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1
2 Dated: November 22, 2010

ROBINS, KAPLAN, MILLER & CIRESI
L.L.P.

3
4 By: /s/ Sang Young A. Brodie
Sang Young A. Brodie

5 Ronald J. Schutz
Email: rjschutz@rkmc.com
6 Richard M. Martinez
Email: rmmartinez@rkmc.com
7 Sang Young A. Brodie
Email: sybrodie@rkmc.com
8 Robins, Kaplan, Miller & Ciresi L.L.P.
800 LaSalle Avenue, 2800 LaSalle Plaza
9 Minneapolis, MN 55402

10 David Martinez
Email: dmartinez@rkmc.com
11 Robins, Kaplan, Miller & Ciresi L.L.P.
2049 Century Park East, Suite 3400
12 Los Angeles, CA 90067-3208

13 Attorneys for Plaintiff
14 TV Interactive Data Corporation
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2 Dated: November 22, 2010

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, L.L.P.

3 By: /s/ Gregory S. Gewirtz
4 Gregory S. Gewirtz

5 Gregory S. Gewirtz
6 Email: ggewirtz@ldlkm.com
7 Jonathan A. David
8 Email: jdavid@ldlkm.com
9 Bryan J. Sommese
10 Email: bsommese@ldlkm.com
11 Lerner, David, Littenberg,
12 Krumholz & Mentlik, L.L.P.
13 600 South Avenue West
14 Westfield, NJ 07090

15 Duane M. Geck
16 Email: dmg@severson.com
17 Philip Barilovits
18 Email: pb@severson.com
19 Severson & Werson
20 One Embarcadero Center, Suite 2600
21 San Francisco, CA 94111

22 Attorneys for Defendants
23 Sony Corporation; Sony Computer
24 Entertainment Inc.;
25 Sony Computer Entertainment America LLC;
26 Sony Corporation of America; and
27 Sony Electronics Inc.
28

1
2 Dated: November 22, 2010

HOWREY LLP

3 By: /s/ Jason T. Anderson
Jason T. Anderson

4 Jason T. Anderson
5 Email: andersonj@howrey.com
Christina Finn
6 Email: finnc@howrey.com
HOWREY LLP
7 1950 University Avenue, 4th Floor
East Alto, CA 94303

8 Howrey LLP
9 1299 Pennsylvania Ave., NW
Washington, DC 20004
10 Alan Grimaldi
Email: grimaldia@howrey.com
11 Brian Rosenthal
Email: rosenthalb@howrey.com

12 Attorneys for Defendants Royal Philips
13 Electronics N.V. and Philips Electronics North
14 America Corporation

15 Dated: November 22, 2010

DLA PIPER LLP

16 By: /s/ Ronald L. Yin
17 Ronald L. Yin

18 Ronald L. Yin
Email: ronald.yin@dlapiper.com
19 Mark D. Fowler
Email: mark.fowler@dlapiper.com
20 Gerald T. Sekimura
Gerald.sekimura@dlapiper.com
21 Sal Lim
Email: sal.lim@dlapiper.com
22 Erik R. Fuehrer
Email: erik.fuehrer@dlapiper.com
23 DLA Piper LLP
2000 University Avenue
24 East Palo Alto, CA 94303

25 Attorneys for Defendants Toshiba Corporation,
26 Toshiba America, Inc; and Toshiba America
27 Consumer Products, L.L.C.
28

1
2 Dated: November 22, 2010

ORRICK, HERRINGTON & SUTCLIFFE
LLP

3 By: /s/ William H. Wright
4 William H. Wright

5 Steven J. Routh
6 Email: srouth@orrick.com
7 Sten A. Jensen
8 Email: sjensen@orrick.com
9 Trevor C. Hill
10 Email: thill@orrick.com
11 T. Vann Pearce, Jr.
12 Email: vpearce@orrick.com
13 ORRICK, HERRINGTON & SUTCLIFFE
14 LLP
15 1152 15th Street, NW
16 Washington DC 20005

17 William H. Wright
18 Email: wwright@orrick.com
19 ORRICK, HERRINGTON & SUTCLIFFE
20 LLP
21 777 South Figueroa Street, Suite 3200
22 Los Angeles, CA 90017

23 Attorneys for Defendants Victor Company of
24 Japan, Ltd. and JVC Americas Corp.

25
26 Dated: November 22, 2010

MORRISON & FORESTER LLP

27 By: /s/ Sherman W. Kahn
28 Sherman W. Kahn

29 Karen Hagberg
30 Email: khagberg@mofo.com
31 Sherman W. Kahn
32 Email: skahn@mofo.com
33 Hui Liu
34 Email: Hliu@mofo.com
35 MORRISON & FORESTER LLP
36 1290 Avenue of the Americas
37 New York, NY 10104

38 Attorneys for Defendants Sharp Corporation
and Sharp Electronics Corporation

1
2 Dated: November 22, 2010

BAKER & HOSTETLER LLP

3 By: /s/ Kevin W. Kirsch
Kevin W. Kirsch

4 Kevin W. Kirsch
5 Email: kkirsch@bakerlaw.com
6 David A. Mancino
7 Email: dmancino@bakerlaw.com
8 John F. Bennett
9 Email: jbennett@bakerlaw.com
10 Matthew P. Hayden
11 Email: mhayden@bakerlaw.com
12 Baker & Hostetler LLP
13 312 Walnut Street, Ste. 3200
14 Cincinnati, OH 45202

15
16 Hayes F. Michel
17 Email: hmichel@bakerlaw.com
18 Baker & Hostetler, LLP
19 12100 Wilshire Boulevard
20 Los Angeles, CA 90025

21 Attorneys for Defendants Funai Electric Co.
22 Ltd. and Funai Corporation, Inc.

23 Dated: November 22, 2010

MORRISON & FOERSTER LLP

24 By: /s/ Karl J. Kramer
Karl J. Kramer

25 Karl J. Kramer
26 Email: kkramer@mofo.com
27 Rick S. Ballinger
28 Email: rballinger@mofo.com
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, CA 94304

Jack W. Londen
Email: jlonden@mofo.com
Morrison & Foerster LLP
Shin-Marunouchi 1-Chome
Tokyo, Chiyoda-ku 100-6529, Japan

Attorneys for D&M Holdings Inc.; D&M
Holdings US, Inc.; and Denon Electronics
(USA), LLC

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2 I, Kevin W. Kirsch, am the ECF user whose ID and password are being used
3 to file this STIPULATION AMONG PLAINTIFF TV INTERACTIVE DATA
4 CORPORATION AND DEFENDANTS CONCERNING DR. ANDREW WOLFE
5 AND [PROPOSED] ORDER. In compliance with General Order 45, X.B., I
6 hereby attest that Sang Young A. Brodie, Gregory S. Gewirtz, Jason T. Anderson,
7 Ronald L. Yin, William H. Wright, Sherman W. Kahn, and Karl J. Kramer have
8 concurred in this filing.

9
10 Dated: November 22, 2010

/s/ Kevin W. Kirsch
Kevin W. Kirsch

CERTIFICATE OF SERVICE

I declare that I am employed with the law firm of Baker & Hostetler LLP, whose address is 312 Walnut Street, Suite 3200, Cincinnati, Ohio 45202. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on November 22, 2010, I served the following:

STIPULATION AMONG PLAINTIFF TV INTERACTIVE DATA CORPORATION AND DEFENDANTS CONCERNING DR. ANDREW WOLFE AND [PROPOSED] ORDER



BY ELECTRONIC SERVICE by electronically mailing a true and correct copy through Baker & Hostetler LLP's electronic mail system to the e-mail addresses set forth below per agreement of the parties in accordance with Fed. R. Civ. P. 5(b).

Alan Grimaldi
Email: GrimaldiA@howrey.com
Howrey LLP
1299 Pennsylvania Ave., NW
Washington, DC 20004-2402

Sten Anker Jensen
Email: sjensen@orrick.com
Orrick Herrington & Sutcliffe LLP
1152 15th St. NW
Washington, DC 20005

Trevor J. Foster
Email: tjfoster@rkmc.com
Robins Kaplan Miller & Ciresi LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402

Steven J. Routh
Email: srouth@orrick.com
Orrick, Herrington & Sutcliffe LLP
1152 15th Street, NW
Washington, DC 20005



BY MAIL by placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in Cincinnati, Ohio, in sealed envelopes with postage fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 22, 2010, 2010, in Cincinnati, Ohio.

/s/ John F. Bennett
John F. Bennett